

REMARKS

Applicant intends this response to be a complete response to the Examiner's **29 August 2003** Final Office Action. Applicant has labeled the paragraphs in his response to correspond to the paragraph labeling in the Office Action for the convenience of the Examiner.

Preliminary Remarks

Applicants added new claims 21-29 in the response to the last office action; however, the Examiner has not ruled on the status of these claims. Applicants, therefore, respectfully request a ruling by the Examiner.

Rejections Under 35 U.S.C. §102

8. **Claims 1-10 and 19-20** stand rejected under 35 U.S.C. § 102(b) as being anticipated by Yamaguchi et al and under 35 U.S.C. § 102(a) as being anticipated by Gnanasambandam et al. Applicants traverse and respectfully request reconsideration based on the above claim amendments, if any, and the remarks presented herein.

The Examiner contends as follows:

3. The claims stand rejected for the reasons set forth in the last Office Action (Paper No. 6, mailed 3/19/03).

4. Applicant's arguments filed 6/2/03 have been fully considered but they are not persuasive. In particular, Applicants refer to a provision application (60/134652) based on a university disclosure statement, wherein same provides a date earlier than the publishing date for the Gnanasambandam et al. reference. However, Applicants are directed to submit said evidence by way of an affidavit under 37 CFR 1.131 to demonstrate the "swearing back" behind the Gnanasambandam et al. reference.

Applicants hereby submit evidence to antedate the Gnanasambandam et al. article which is based on the work of the inventors. Applicants filled an original provisional application covering a major portion of this application bearing serial number 60/134652 filed May 18, 1999 based on a university invention disclosure statement received on 23 November 1998. Applicants support the evidence for antedating the Gnanasambandam et al. article in the attached Rule 131 Declaration. Applicants, therefore, respectfully request the removal of the Gnanasambandam et al. article as a reference against the present application and withdrawal of this section 102(e) rejection.

breakdown of the pectin of this invention and do not disclose, teach or suggest how one would make such a pectinaceous product.

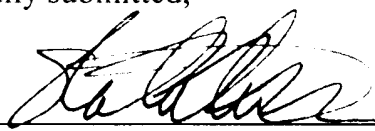
One claim in excess of the 20 allowed claims has been added. The Director of Patents is authorized to charge Deposit Account 501518 for the \$9.00 additional claims fee or any other underpayment or the credit the Deposit Account for any overpayment.

Having fully responded to the Examiner's Non-Final Office Action, Applicant respectfully urges that is application be passed onto allowance.

If it would be of assistance in resolving any issues in this application, the Examiner is kindly invited to contact applicant's attorney Robert W. Strozier at 713.977.7000

Date: **October 2, 2003**

Respectfully submitted,



Robert W. Strozier
Reg. No. 34,024